

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No.: 21-CR-108 (2) (PAM/TNL)

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UNITED STATES OF AMERICA, )  
vs. )  
Plaintiff, )  
TOU THAO, )  
Defendant. )

) MOTION FOR DISCOVERY AND  
INSPECTION  
)

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The Defendant, Mr. Tou Thao, by and through his attorneys, Robert Paule and Natalie R. Paule, respectfully moves the Court for an order compelling the Government to permit defense counsel to inspect, copy, photograph, or subject to scientific analysis the following items within the possession, custody or control of the Government, the existence of which is known, or by the exercise of due diligence may become known, to counsel for the Government:

1. Any and all statements, confessions, or admissions made by the defendant, written or otherwise recorded, or oral statements. See Rule 16(a)(1)(B).
2. Any and all books, papers, documents, photographs, tangible objects, buildings or places or copies of portions thereof, material to the defense that are intended for use by the Government as evidence in chief at trial, or which were obtained from or belonging to the defendant. Rule 16(a)(1)(E);

3. The prior criminal record of the defendant, if any. Rule 16(a)(1)(D); including, but not limited to:
  - a. each prior sentence or imprisonment exceeding one year and one month;
  - b. each prior sentence of imprisonment of at least sixty days;
  - c. information regarding whether the defendant is alleged to have committed the instant offense while under any criminal justice sentence; including probation, parole, supervised release, imprisonment, work release, or escape status;
  - d. information regarding whether the defendant is alleged to have committed the instant offense less than two years after release from imprisonment on the sentence included under (a) or (b) above;
4. Any and all results or reports of physical or mental examinations, including those done co-defendants or witnesses. See Rule 16(a)(1)(F).

This Motion is based on the parameters of Rule 16, the Government's continuing duty of disclosure, the indictment, the records and files in the above-entitled action, and any and all other materials which may be presented prior to or at the time of the hearing on said Motion.

Respectfully submitted,

Dated: This 3<sup>rd</sup> day of August, 2021

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